# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/604,746 | 08/14/2003 | Ying-Hao Hsu | ACMP0131USA | 1745 |

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| EXAMINER |
|---|
| HUNG, STEPHEN C |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2615 | |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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PTOL-90A (Rev. 04/07)

| | | Application No. | Applicant(s) |
|---|---|---|---|
| | | 10/604,746 | HSU ET AL. |
| **Office Action Summary** | | Examiner | Art Unit | |
| | | Stephen C. Hung | 2615 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on _16 July 2007_.

2a)☒ This action is **FINAL**.    2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) _1-26_ is/are pending in the application.

4a) Of the above claim(s) _10 and 12-22_ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-9, 11, 23-26_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All  b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

## DETAILED ACTION

Claims 10 and 12-22 are cancelled.

### *Claim Rejections - 35 USC § 103*

1.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.      **Claim 1, 2, 9, 11** are rejected under 35 U.S.C. 103(a) as being unpatentable over

**Lai et al. (US 2004/0102860 A1)** in view of **Balaji et al. (US 2002/0143523 A1)**.


Consider **claim 1**, Lai teaches an audio player (Figure 3 and Figure 4) comprising:


a memory (Figure 3, storage element 31) for storing a first audio file and a first text file,

the first text file containing texts of the corresponding first audio file ("store at least one

song file and at least one image file," [0017]);


a user interface (play menu," [0018]) for selecting the first audio file;


a controller (Figure 3, input element 38) for loading the first audio file and the first text

file;


a decoder (Figure 3, decoder 34) for converting the first audio file into audio signals;

an audio output port (Figure 3, audio output element 36) for outputting the audio

signals;

a video output port for displaying texts stored in the first text file on a display device

electrically coupled to the video output port (Figure 3, display element 35); and

a text calculating circuit (Figure 3, CPU 30) for calculating a rate at which text is

displayed on the display device according to a predetermined relationship between a

duration of the first audio file and a size of the first text file.

However, Lai does not teach a character set file stored in the memory, the character set

file containing a list of *only* those characters included in all text files stored in the

memory of the audio player.

In the same field of endeavor, Balaji teaches a system where whenever a text file is

retrieved, the system identifies which languages are used in the text file, and retrieves

the character set for that specific language ("the character set identifier identifies the

character set to be used by the browser to display the localized string," [0040]).

Therefore, it would have been obvious to one of ordinary skill in the art to have the

audio player of Lai retrieve a character set file containing only those characters included

in the text file, in a similar manner taught by Balaji, since retrieving the characters that are only included "makes the use of storage memory more efficient" (Balaji, [0048]).

Consider **claim 2**, Lai teaches the audio player of claim 1 further comprising a first linking file stored in the memory, the first linking file utilized for linking the first text file to the corresponding first audio file ("image file and a song file matched with the index of the song," [0019]).

Consider **claim 9**, Lai teaches the audio player of claim 1 further comprising an interface port (Figure 3, connector 37) for transferring files from a host device to the memory of the audio player.

Consider **claim 11**, Lai teaches the audio player of claim 1 wherein the decoder is an MP3 decoder ("compression format of a MPEG layer 3 (MP3)," [0004]).

3.      **Claim 3** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Lai et al. (US 2004/0102860 A1)** in view of **Balaji et al. (US 2002/0143523 A1)** as applied to claim 1 above, and further in view of **Michelson et al. (US 2002/0072047 A1)**.

Consider **claim 3**, the modified device of Lai teaches the audio player of claim 1 further comprising a first image file (Lai, image file, [0017]) stored in the memory (Lai, Figure 3, storage element 31).

However, the image file of the modified device of Lai only serves to display the lyrics of the song. It does not provide the function of serving as a background image.

In the same field of endeavor, Michelson et al. teaches a karaoke system where a background image file (Figure 1, image 20) is integrated with a text file (Figure 1, image 22) to form a composite image (Figure 1, composite image 32).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to replace the image file of the modified device of Lai with the composite image of Michelson "for viewing" pleasure (Michelson, [0004]).

4.      **Claims 4, 5, 6, 7, 8** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lai et al. (US 2004/0102860 A1)** in view of **Balaji et al. (US 2002/0143523 A1)** as applied to claim 1 above, and further in view of **Holtz et al. (US 2002/0186233 A1)**.

Consider **claim 4**, the modified device of Lai teaches the audio player of claim 1 wherein the audio player displays lyrics onto the screen. However, the modified device of Lai does not specify how the audio player calculates the frequency at which the text is displayed on the screen. The modified device of Lai does not teach the predetermined relationship for calculating the rate at which text is displayed on the display device satisfies the equation $F=N/T$, where F represents a moving frequency at

which text is displayed on the display device, T represents the duration of the first

audio file and, N represents a quantity of text stored in the first text file.

In the same field of endeavor, Holtz teaches $a$ method of calculating the rate at which

text is displayed onto a screen ("scroll rate is measured in terms of words per unit of

time," [0135]). Holtz calculates this frequency by dividing N (Figure 5a, description 544)

by T (Figure 5a, duration 543).

Therefore, since the modified device of Lai does not specify how the frequency is

calculated, it would have been obvious to one of ordinary skill in the art at the time of

the invention to calculate the frequency of the modified device of Lai using the method

of Holtz, so that the text may be "displayed to the talent who is to read the scrolling text

from a display" (Holtz, [0273]).

Consider **claim 5**, the modified apparatus of Lai teaches the audio player (Lai, Figures

3 and 4) of claim 4 wherein the user interface (Lai, "play menu," [0018]) is utilized for

selecting a calculation mode (Holtz, Figure 5A, fields 540, 542, 543 calculate a time

duration length, which is a quantity used in determining the scroll rate) of the audio

player.

Consider **claim 6**, the modified apparatus of Lai teaches the audio player (Lai, Figures

3 and 4) of claim 5 wherein the quantity of text N is selected from a group consisting of

$N_C$, $N_W$, $N_S$, and $N_P$ according to the selected calculation mode, wherein $N_C$ represents a number of characters in the first text file, $N_W$ (Holtz, "words," [0135]) represents a number of words in the first text file, $N_S$ represents a number of sentences in the first text file, and $N_P$ represents a number of paragraphs in the first text file.

Consider **claim 7**, the modified device of Lai teaches the audio player (Figures 3 and 4) of claim 1 wherein the user interface (Lai, "play menu," [0018]) comprises input buttons (Figure 4, input element 38).

However, the modified device of Lai does not specifically teach that the input buttons are for scrolling through the text displayed on the display device.

In the same field of endeavor, Holtz teaches input buttons for scrolling through the text displayed on the display device ("activating next file button 604 causes teleprompting system 108 to cue the next sequential script in the playlist," [0137]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to configure the buttons of the modified device of Lai to scroll through text, in a similar manner taught by Holtz, in order to make it easier for the user "to read the scrolling text from a display" (Holtz, [0273]).

Consider **claim 8** the modified device of Lai teaches the audio player (Figures 3 and 4)

of claim 1 wherein the user interface (Lai, "play menu," [0018]) comprises input buttons

(Figure 4, input element 38).

However, the modified device of Lai does not specifically teach that the input buttons

are for changing the rate at which text is displayed on the display device.

In the same field of endeavor, Holtz teaches input buttons for changing the rate at

which text is displayed on the display device ("speed-up button 616 or slow-down

button 618," [0135]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

the invention to configure the buttons of the modified device of Lai to change the rate at

which text is displayed, in a similar manner taught by Holtz, in order to allow the user

"to increase or decrease the scroll rate" (Holtz, [0282]).

5.      **Claims 23, 24, 25, 26** are rejected under 35 U.S.C. 103(a) as being unpatentable

over **Lai et al. (US 2004/0102860 A1)** in view of **Holtz et al. (US 2002/0186233 A1)**.

Consider **claim 23**, Lai teaches an audio player (Figure 3 and Figure 4) comprising:

a memory (Figure 3, storage element 31) for storing a first audio file and a first text file,

the first text file containing texts of the corresponding first audio file ("store at least one

song file and at least one image file," [0017]);

a user interface (play menu," [0018]) for selecting the first audio file;

a controller (Figure 3, input element 38) for loading the first audio file and the first text

file;

a decoder (Figure 3, decoder 34) for converting the first audio file into audio signals;

an audio output port (Figure 3, audio output element 36) for outputting the audio

signals;

a video output port for displaying texts stored in the first text file on a display device

electrically coupled to the video output port (Figure 3, display element 35);

However, Lai does not specify how the audio player calculates the frequency at which

the text is displayed on the screen. Lai does not teach the predetermined relationship

for calculating the rate at which text is displayed on the display device satisfies the

equation F=N/T, where F represents a moving frequency at which text is displayed on

the display device, T represents the duration of the first audio file and, N represents a quantity of text stored in the first text file.

In the same field of endeavor, Holtz teaches of method of calculating the rate at which text is displayed onto a screen ("scroll rate is measured in terms of words per unit of time," [0135]). Holtz calculates this frequency by dividing N (Figure 5a, description 544) by T (Figure 5a, duration 543).

Therefore, since Lai does not specify how the frequency is calculated, it would have been obvious to one of ordinary skill in the art at the time of the invention to calculate the frequency of Lai using the method of Holtz, so that the text may be "displayed to the talent who is to read the scrolling text from a display" (Holtz, [0273]).

Consider **claim 24**, the modified apparatus of Lai teaches the audio player (Lai, Figures 3 and 4) of claim 4 wherein the user interface (Lai, "play menu," [0018]) is utilized for selecting a calculation mode (Holtz, Figure 5A, fields 540, 542, 543 calculate a time duration length, which is a quantity used in determining the scroll rate) of the audio player.

Consider **claim 25**, the modified apparatus of Lai teaches the audio player (Lai, Figures 3 and 4) of claim 5 wherein the quantity of text N is selected from a group consisting of $N_C$, $N_W$, $N_S$, and $N_P$ according to the selected calculation mode, wherein

$N_C$ represents a number of characters in the first text file, $N_W$ (Holtz, "words," [0135])

represents a number of words in the first text file, $N_S$ represents a number of sentences

in the first text file, and $N_P$ represents a number of paragraphs in the first text file.

Consider **claim 26**, Lai teaches an audio player (Figure 3 and Figure 4) comprising:

a memory (Figure 3, storage element 31) for storing a first audio file and a first text file,

the first text file containing texts of the corresponding first audio file ("store at least one

song file and at least one image file," [0017]);

a user interface (play menu," [0018]) for selecting the first audio file;

a controller (Figure 3, input element 38) for loading the first audio file and the first text

file;

a decoder (Figure 3, decoder 34) for converting the first audio file into audio signals;

an audio output port (Figure 3, audio output element 36) for outputting the audio

signals;

a video output port for displaying texts stored in the first text file on a display device

electrically coupled to the video output port (Figure 3, display element 35);

However, Lai does not specify how the audio player calculates the frequency at which the text is displayed on the screen. Lai does not teach the predetermined relationship for calculating the rate at which text is displayed on the display device satisfies the equation F=N/T, where F represents a moving frequency at which text is displayed on the display device, T represents the duration of the first audio file and, N represents a quantity of text stored in the first text file.

Lai also does not teach wherein the user interface is utilized for selecting a calculation mode of the audio player for selecting the quantity of text N from a group consisting of Nc, Ns, and Np, wherein Nc represents a number of characters in the first text file, Ns represents a number of sentences in the first text file, and Np represents a number of paragraphs in the first text file.

In the same field of endeavor, Holtz teaches of method of calculating the rate at which text is displayed onto a screen ("scroll rate is measured in terms of words per unit of time," [0135]). Holtz calculates this frequency by dividing N (Figure 5a, description 544) by T (Figure 5a, duration 543).

Holtz also teaches wherein the quantity of text N is selected from a group consisting of $N_C$, $N_W$, $N_S$, and $N_P$ according to the selected calculation mode, wherein $N_C$ represents a number of characters in the first text file, $N_W$ (Holtz, "words," [0135]) represents a

number of words in the first text file, $N_S$ represents a number of sentences in the first

text file, and $N_P$ represents a number of paragraphs in the first text file.

Therefore, since Lai does not specify how the frequency is calculated, it would have

been obvious to one of ordinary skill in the art at the time of the invention to calculate

the frequency of Lai using the method of Holtz, so that the text may be "displayed to

the talent who is to read the scrolling text from a display" (Holtz, [0273]).

## *Conclusion*

6.      Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later
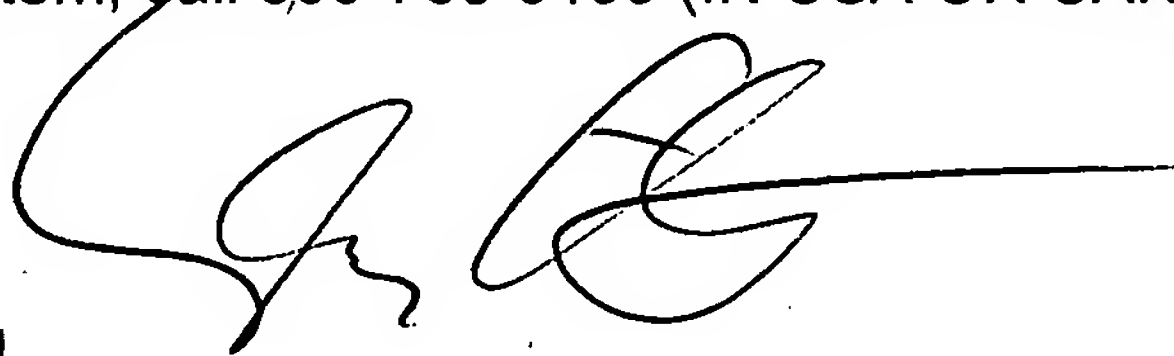
than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen C. Hung whose telephone number is (571)270-1457. The examiner can normally be reached on M-Th 7:30am-5pm, Every other Friday 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (571)272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

S.H.

SINH TRAN
SUPERVISORY PATENT EXAMINER